

Award No. 1618

Docket No. 1478

2-PULL-EW-'53

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee Carroll R. Daugherty when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 122, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. of L. (Electrical Workers)**

THE PULLMAN COMPANY

DISPUTE: CLAIM OF EMPLOYEES: 1. That under the current agreement the carrier on February 1, 1951 improperly promoted Electrician A. Bove who was in seniority position No. 25 on the 1950 electrical seniority roster.

2. That accordingly the carrier be order to:

- a) Promote Electrician A. Darden who is a senior qualified electrician to Electrician A. Bove.
- b) Compensate Electrician A. Darden the difference in pay from what he did earn as an electrician and what he could have earned as a supervisor, retroactive to February 1, 1951.
- c) Give Electrician A. Darden a seniority date as a supervisor as of February 1, 1951.

EMPLOYEES' STATEMENT OF FACTS: Electrician A. Darden, hereinafter referred to as the claimant, was in seniority position No. 15 and that Electrician A. Bove was in seniority position No. 25 on the 1950 electricians' seniority roster of the New York District, a copy of which is submitted herewith and identified as Exhibit A.

The carrier on February 1, 1951, promoted Electrician A. Bove to a supervisory position.

The agreement effective July 1, 1948, as subsequently amended, is controlling.

POSITION OF EMPLOYEES: It is submitted that the action of the carrier in the instant dispute is contrary to the provisions of the current

FINDINGS: The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

The parties to said dispute were given due notice of hearing thereon.

Effective February 1, 1951, Electrician A. Bove, number 25 on his seniority roster, was promoted to the position of assistant foreman in the Mott Haven yard of the carrier's New York district.

The organization's claim is in behalf of Electrician A. Darden, who stood number 15 on the above-mentioned roster on the above-mentioned date.

In the instant case the facts of record are essentially similar to those in the case decided by our Award No. 1600. Applying to the instant case the principles and reasoning set forth in that award, we find no violation of the parties' agreement by the carrier and we think a denial award is also proper.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

ATTEST: Harry J. Sassaman
Executive Secretary

Dated at Chicago, Illinois, this 7th day of January, 1953.